

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Kenyatta Jomo,

Case No. 21-cv-2266 (KMM/TNL)

Plaintiff,

v.

**ORDER**

Steve Kallis, Warden; Rochester Federal  
Medical Center; and United States Federal  
Hospital,

Defendants.

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This matter is before the Court, United States Magistrate Judge Tony N. Leung, on Plaintiff's Motion for Abeyance (ECF No. 17). On October 27, 2021, the Court granted Plaintiff leave to file an amended complaint after noting that his complaint failed "to state a non-frivolous claim for relief." (ECF No. 5 at 1.) On December 16, 2021, the Court ordered that Plaintiff could have 60 additional days to file an amended complaint. (ECF No. 12.) It referred Plaintiff to the Pro Se Project, a program of the Federal Bar Association that attempts to connect unrepresented individuals who receive a court referral with volunteer lawyers who may agree to donate time to talk about their cases, by way of separate correspondence. (ECF No. 13.)

In his current motion, Plaintiff states that he has not been contacted by the Pro Se Project and requests an enlargement of time to file a new complaint until a volunteer attorney can assist him in amending his complaint. (ECF No. 17 at 2.) The Court has since

confirmed that the Pro Se Project has been in touch with Plaintiff and that Plaintiff is interested in participating in the Pro Se Project. The Court declines to grant Plaintiff's request to indefinitely extend the deadline for him to file his amended complaint. For good cause shown, however, the Court shall grant Plaintiff 45 additional days to file his amended complaint. Plaintiff is reminded that should he not file an amended complaint consistent with the Court's October 27 Order, this matter may be dismissed either pursuant to 28 U.S.C. § 1915(e)(2)(B) or for failure to prosecute, *see* Fed. R. Civ. P. 41(b). (*See also* ECF No. 12 at 2.)

Therefore, based on the foregoing, and all the files, records, and proceedings herein,

**IT IS HEREBY ORDERED** that:

1. Plaintiff's Motion for Abeyance (ECF No. 17) is **GRANTED IN PART** and **DENIED IN PART**.
2. Plaintiff shall file his amended complaint on or before March 31, 2022.

Date: January 10, 2022

s/Tony N. Leung  
Tony N. Leung  
United States Magistrate Judge  
District of Minnesota

*Jomo v. Kallis et al.*  
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